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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Policies and Rules Implementing)
the Telephone Disclosure and)
Dispute Resolution Act)

CC Docket No. 93-22

COMMENTS OF SPRINT

Sprint Corporation, on behalf of Sprint Communications Company L.P. and the United and Central Telephone companies, hereby respectfully submits its comments pursuant to the Order on Reconsideration and Further Notice of Proposed Rule Making, released August 31, 1994 (FCC 94-200) ("FNPRM"), concerning the Commission's proposed revisions to its Pay-per-call and 800 Services rules.

I. INTRODUCTION.

Based on its recent experience with information services which are provided over 800 numbers and which are purported to be "presubscribed," the Commission has tentatively concluded that its rules should be amended to afford greater protection to telephone subscribers (FNPRM at para. 25). The Commission has proposed, therefore, to modify its definition of "presubscription or comparable arrangement" in Section 64.1501(b) to require that "such arrangements be established only with a legally competent individual and executed in writing, unless charges are authorized to a credit or charge

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287

card generally accepted for the purchase of consumer goods, entertainment, travel, and lodging" (at para. 29). The Commission has also proposed changes to Section 64.1504 to require "that 800 numbers may not be used to connect callers to any information service that is not provided under a presubscription or comparable arrangement" (at para. 28) and to Section 64.1510(b) "to prohibit common carriers from billing subscribers for presubscribed information services without evidence of the written agreement" (at para. 29). The Commission seeks comments on its proposed amendments.

As discussed below, Sprint will be required to withdraw its information service product if the proposed rules are adopted. Sprint therefore suggests language which will allow common carriers to provide information services over the 800 numbers used to provide operator or other call completion services under certain conditions. In addition, Sprint explains a new international service, "Paid 800," which will not conflict with the Commission's proposed rules.

II. A MODIFICATION SHOULD BE MADE TO ALLOW COMMON CARRIERS TO PROVIDE INFORMATION SERVICES OVER 800 NUMBERS WITHOUT A WRITTEN AGREEMENT UNDER CERTAIN CONDITIONS.

Under the rules as proposed, Sprint will no longer be able to offer its information service product, Info Line, which provides programs such as weather information, sports updates and stock quotes. Info Line is a feature of Sprint's FONCARD service and is accessed using the same 800 number that customers dial to place operator services and other FONCARD

calls, to initiate conference calls, and to record and deliver messages. Because the proposed rules require a written agreement and because Sprint does not always receive a written confirmation from its FONCARD customers, Sprint's business arrangement with its customers will no longer qualify as a "presubscribed or comparable arrangement," and Sprint will no longer be able to offer Info Line over the 800 number used for FONCARD service.

The elimination of legitimate information services, such as Info Line, would be unfortunate. Sprint believes that its Info Line provides the public with useful information. Only customers who have established a relationship with Sprint for common carrier services provided pursuant to its tariffs receive information about the service and are given instructions on how to access it. Sprint urges the Commission to revise its rules to allow such services to continue under certain conditions without the requirement for a written contract.

In particular, common carriers should be permitted to offer such services, (1) if they have established business relationships with their customers that include the provision of a calling card number, (2) if they offer operator and other call completion services pursuant to tariffs, (3) if they provide the information service over the same 800 number as is used to provide operator or call completion services, and (4) if they derive an insignificant proportion of their gross calling card revenue from information services. Thus, Sprint

proposes the following language be added to Section

64.1501(b):

(6) Provided further, that the disclosure of a common carrier's calling card number to access information services offered by that carrier shall constitute a presubscription or comparable arrangement when

(i) such information services are provided by a common carrier over the same 800 telephone number used by such carrier to offer access to tariffed operator or call completion services,

(ii) the customer is required to establish an account with the carrier through a separate call to a different telephone number than that used for the information service and is assigned a calling card number, or the customer purchases a common carrier's prepaid calling card with a calling card number, and

(iii) such information services do not constitute more than 5 percent of the common carrier's gross revenue obtained from calling card services.

This additional modification to the rules should protect consumers while allowing common carriers to provide legitimate information services.

III. "PAID 800" SERVICE DOES NOT CONFLICT WITH THE COMMISSION'S PAY-PER-CALL AND 800 SERVICES RULES.

Sprint does not believe the proposed rules apply to a relatively new international service known as "Paid 800" service. Callers may place a Paid 800 call to a U.S. 800 number from an international location using the standard international direct-dial access code in the originating country followed by the U.S. country code, "1," and then the 800 number. On the foreign originating end, the caller's carrier will charge the caller for placing a direct-dial

call to the United States. The call will be terminated to the appropriate U.S. 800 service customer. No additional charge will be applied to the caller by the U.S. carrier. Sprint believes that a caller from an international location would not assume that a call placed to a U.S. 800 number is free of charge. In addition, the customer must dial additional digits before the 800 service access code to identify the call as Paid 800. Given these factors, the number dialed from an international location is not "widely understood to be toll free," and any charge placed on the international call by the foreign carrier would not conflict with the Commission's rules.

Respectfully submitted,

SPRINT CORPORATION



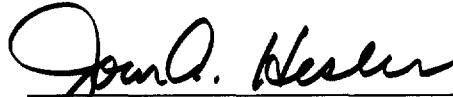
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CERTIFICATE OF SERVICE

I, Joan A. Hesler, do hereby certify that on this 11th day of October, 1994, a true copy of the foregoing "**COMMENTS OF SPRINT CORPORATION**" was sent via first-class U.S. mail, postage-prepaid, or hand delivered, to the parties on the attached list.



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